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BK 0283 PG 0769
STATE MS.-DE SOTO CO.
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IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

ANDREW MERRIWEATHER,

Plaintiff,

vs.

NO. 00-7-1095

THOMAS YOUNG; TOMMIE MERRIWEATHER NIXON;
KNOWN AND UNKNOWN HEIRS AT LAW OF MARY CHAPMAN
AND ED CHAPMAN, DECEASED; AND ALL CLAIMANTS AND
PARTIES IN INTEREST TO THE PROPERTY DESCRIBED IN THE
COMPLAINT,

Defendant.

ORDER QUIETING AND CONFIRMING
TITLE TO REAL PROPERTY

This cause came on to be heard by the Court this day on Petition to Quite and Confirm Title to Real Property filed by the plaintiff. Rule 81 summons by publication was issued by the Court summoning all known and unknown heirs at law of the deceased, Ed Chapman and Mary Chapman and all claimants and parties in interest to the property described in the complaint and no parties appeared or filed responsive pleadings in opposition to the Complaint. And the Court, having been advised in the premises and having heard proof in open Court, does find and adjudicate as follows:

1. That the Court has personal jurisdiction over the parties to this action, subject matter jurisdiction and jurisdiction over the property that is the subject of this action.
2. The Court finds that the property herein was conveyed to Mary Chapman by warranty deed from Ernestine Davis and Irma Braxton dated June 11, 1957, recorded at pages 68 and 69 of Deed Book 44 in the office of the Desoto County, Mississippi Chancery Clerk; that title was perfected in Mary Chapman by this deed and adverse possession.

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W E DAVIS, CLERK

3. That Mary Chapman died testate sometime between June, 1965 and November 1966 and, prior to her death, executed a Will dated June 30, 1965 devising a life estate to the property to her husband, Ed Chapman for the term of his natural life, with remainder to Thomas Young, a defendant in this action.

4. The Court finds that Ed Chapman died on July 8, 1985, but prior to his death, married Petitioner's mother, Hula Merriweather Chapman, on November 6, 1966, who began adversely possessing the property on July 8, 1985, and remained in continuous adverse possession of same until the time of her death on June 20, 1994.

5. That the petitioner and Tommie Merriweather Nixon, the son and daughter, respectively, of Hula Merriweather Chapman, took control of the property immediately upon Hula Merriweather Chapman's death and have remained in continuance open, notorious, hostile, exclusive and adverse possession of the property until this date.

6. That the property is described as follows:

Part of Lots 265 and 266 in the Town of Hernando as shown by the official map of said town on file in the Desoto County, Mississippi Chancery Clerk's office, the same being located in Section Thirteen (13), Township Three (3), Range Eight (8) West, and more particularly described as follows:

Beginning at the Southeast Corner of the North one-third of Lot 266; thence North a distance of 212 feet, more or less, to the east line of lot 265; thence South a distance of 40 feet, more or less, to the Southwest Corner of the North one-third of Lot 165; thence East across Lots 265 and 266 a distance of 212 feet, more or less, to the point of beginning.

This is the same property conveyed to Mary Chapman from Ernestine Davis and Irma Braxton by warranty deed dated June 11, 1957, recorded in Deed Book 44, pages 68 and 69 in the office of the Desoto County Chancery Clerk.

7. The Court finds that the petitioner, Andrew Merriweather, and Tommie Merriweather Nixon, have acquired title to the property by adverse possession and that title to the

property should be quieted and vested in Andrew Merriweather and Tommie Merriweather Nixon.

IT IS, THEREFORE, ORDERED ADJUDGED AND DECREED that title to the property herein described be and is hereby quieted and vested in Andrew Merriweather and Tommie Merriweather Nixon, and the clerk of this Court is hereby directed to make notation of the transfer of title to the property in the land records to show ownership in Andrew Merriweather and Tommie Merriweather Nixon.

SO ORDERED this the 25th day of Sept., 2000.


CHANCELLOR

